

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION

DANIELLE COBELENS,

Plaintiff,

v.

Case No. 8:19-cv-2388-JSM-AEP

NEWCO LLC d/b/a BUDDY'S  
HOME FURNISHINGS,

Defendant.

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**ORDER**

This cause comes before the Court on Plaintiff's Motion for Writ of Garnishment after Judgement ("Motion"). (Doc. 19). This matter arises from Plaintiff's efforts to collect on her judgment entered against Defendant Newco LLC d/b/a Buddy's Home Furnishings, in the amount of \$14,540.66, plus post judgment interest. (Doc. 18). Plaintiff seeks a writ of garnishment against Bank of America, N.A., who Plaintiff believes is in possession of money that may be used to satisfy the judgment. For the reasons below, Plaintiff's Motion is denied without prejudice.

Plaintiff does not address whether this Court has jurisdiction to issue the writ. A writ of garnishment will only be enforceable within the bounds of the federal district in which it was issued. *See JPI Partners, LLC v. Dixon*, No. 6:07-MC-77-ORL-22DAB, 2008 WL 2185744, at \*2 (M.D. Fla. 2008) (considering a writ of execution); *Lapinski v. St. Croix Condo. Ass'n., Inc.*, No. 6:16-cv-1418-Orl-40GJK,

2019 WL 1491568, at \*1 (M.D. Fla. Jan. 24, 2019) (denying Motion for Writ of Garnishment because the garnishee was located in the Southern District of Florida and thus, the court lacked jurisdiction to issue the writ). In issuing a writ of garnishment, the court must not only have personal jurisdiction over the garnishee, but it also must have jurisdiction over the property to be garnished. *Lapinski*, 2019 WL 1491568 at \*1 (citing *Skulas v. Loiselle*, No. 09-60096-CIV, 2010 WL 1790439, at \*2-3 (S.D. Fla. April 9, 2010)).

Here, Plaintiff moves this Court to issue a writ of garnishment directed towards Bank of America, N.A., the garnishee. In Plaintiff's proposed writ, Plaintiff lists Bank of America N.A.'s registered agent's address as 1200 South Pine Island Road, Plantation, Florida 33324. However, this address is not located in the Middle District of Florida but rather, is in the Southern District of Florida. Moreover, Plaintiff fails to assert that Defendant has an account in a bank branch within the Middle District of Florida. Thus, Plaintiff has not demonstrated that this Court has jurisdiction to issue the writ to a garnishee located outside this Court's jurisdictional boundaries.

Accordingly, it is hereby

ORDERED:

1. Plaintiff's Motion for Issuance of Writ of Garnishment against Bank of America, N.A., (Doc. 19) is hereby DENIED WITHOUT PREJUDICE.

DONE AND ORDERED in Tampa, Florida, on this 1st day of November,  
2021.



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ANTHONY E. PORCELLI  
United States Magistrate Judge

cc: Counsel of Record